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**AMENDMENT TO H.R. 2768, AS REPORTED  
OFFERED BY MR. GEORGE MILLER OF  
CALIFORNIA**

Page 5, beginning on line 6, strike “amended by adding at the end the following:” and insert “amended—

- 1           (1) in clause (iii)(I), by inserting before the  
2           semicolon the following: “and such requirement may  
3           not be satisfied by placement of an order with any  
4           company for future delivery of a portable refuge  
5           chamber or other means of providing such emer-  
6           gency supplies of breathable air”; and  
7           (2) by adding at the end the following:

Page 5, line 8, strike “(vi)” and insert “(vii)”.

Page 5, line 19, strike “, or” and insert a semicolon.

Page 5, line 23, strike “, or” and insert “; or”.

Page 6, beginning on line 4, strike “In addition” and all that follows through “emergency shelter” and insert “The regulations shall further provide that in all cases a portable refuge chamber shall be installed and maintained”.

Strike section 4(d)(1) and insert the following:

1 (1) FLAME RESISTANT CONVEYOR BELTS.—

2 Section 311(h) is amended by adding at the end the  
3 following: “Not later than 90 days after the date of  
4 enactment of the S-MINER Act, the Secretary shall  
5 publish interim final rules to revise the requirements  
6 for flame resistant conveyor belts to ensure that they  
7 meet the most recent recommendations from the Na-  
8 tional Institute for Occupational Safety and Health,  
9 and to ensure such belts are designed to limit smoke  
10 and toxic emissions. A conveyor belt need not meet  
11 the requirements of the preceding sentence if—

12 “(A) it was ordered, in a mine’s inventory,  
13 or installed prior to the date of enactment of  
14 the S-MINER Act, or it was ordered after the  
15 date of enactment of the S-MINER Act and the  
16 Secretary certifies that the mine operator was  
17 unable to obtain a belt meeting the require-  
18 ments of the preceding sentence; or

19 “(B) in the case of any such belt that has  
20 been in use for more than 5 years in any capac-  
21 ity in any mine, such belt has received an an-  
22 nual inspection by a certified professional to en-  
23 sure that the belt is free from visible defects  
24 that could cause failure or possible ignition.”.

Page 19, strike lines 6 through 15 and insert the following:

1       “(a) CONVEYOR BELTS.—The requirements of sec-  
2 tion 311(h) concerning conveyor belts in underground coal  
3 mines, including the exceptions and limitations in connec-  
4 tion therewith, shall also apply to conveyor belts in under-  
5 ground metal and nonmetal mines.”.

Page 55, line 24, insert after the period the following: “The Secretary is authorized to expend up to \$30,000,000 to purchase personal dust monitors for the purposes of the preceding sentence.”.